



DOCKET NO.: H0065.70068US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gregg Duffy
Serial No: 10/723,977
Confirmation. No.:
Filed: November 26, 2003
For: GRID MIDSOLE INSERT

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 15th day of February, 2004.



Marjorie DePina

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:


Transmitted herewith are the following documents:

- ☒ Information Disclosure Statement
- ☒ PTO Form 1449 with cited references
- ☒ Return Receipt Postcard

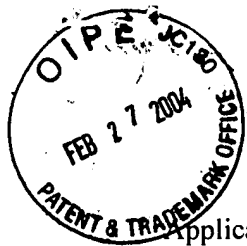
If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

By: 
Shannon M. Pratt, Reg. No.: P-55,548
David Wolf, Reg. No.: 17,528
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Telephone: (617)720-3500

Docket No. H0065.70068US00
Date: 2/25/04
x02/26/04x



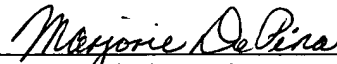
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gregg Duffy
Serial No: 10/723,977
Confirmation No:
Filed: November 26, 2003
For: GRID MIDSOLE INSERT
Examiner:
Art Unit:

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 25 day of February, 2004.



Marjorie DePina

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed within three months of the filing date of a National Application other than a continued prosecution application under 37 C.F.R. §1.53(d).

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. Since this application was filed after June 30, 2003, copies of all U.S. patents and U.S. application publications are not enclosed. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

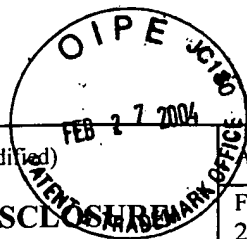
Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

By: Shannon M. Pratt
Shannon M. Pratt, Reg. No.: P-55,548
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Docket No. H0065.70068US00
Date: February 25, 2004
X02/26/04X



FORM PTO-1449/A and B (Modified)

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

APPLICATION NO.: 10/723,977

ATTY. DOCKET NO.: H0065.70068US00

FILING DATE: November 26, 2003

CONFIRMATION NO.:

APPLICANT: Gregg Duffy

GROUP ART UNIT:

EXAMINER:

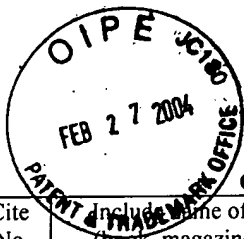
Sheet of

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
		812,496		Irwin	02/13/1906
		1,650,466		Righter	11/22/1927
		4,297,796		Stirtz, et al	11/03/1981
		4,608,768		Cavanagh	09/02/1986
		4,733,483		Lin	03/29/1988
		4,815,221		Diaz	03/28/1989
		4,878,301		Kiyosawa	11/07/1989
		5,070,629		Graham, et al	12/10/1991
		5,255,451		Tong, et al	10/26/1993
		5,402,588		Graham, et al	04/04/1995
		5,469,639		Sessa	11/28/1995
		5,561,920		Graham, et al	10/08/1996
		5,588,226		Schenkel	12/31/1996
		5,595,002		Slepian, et al	01/21/1997
		5,718,063		Yamashita, et al	02/17/1998
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		5,974,695		Slepian, et al	11/02/1999
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		6,006,449		Orlowski, et al	12/28/1999
		6,038,790		Pyle, et al	03/21/2000
		6,205,683	B1	Clark, et al	03/27/2001
		6,216,365	B1	Cohen	04/17/2001
		6,408,544	B1	Hernandez	06/25/2002
		6,418,641	B1	Schenkel	07/16/2002
		6,438,870	B2	Nasako, et al	08/27/2002
		6,467,197	B1	Mitsui, et al	10/22/2002
		2002/0017036	A1	Berger, et al	02/14/2002
		2002/0092202	A1	Masseron	07/18/2002
		2002/0092203	A1	Hardt	07/18/2002

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
		EP	1197157	A1	Berger, et al	04/17/2002	
		GB	2243530	A	Cook	11/06/1991	

**OTHER ART — NON PATENT LITERATURE DOCUMENTS**

Examiner's Initials	Cite No	Include line of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)	

EXAMINER	DATE CONSIDERED
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. __, filed __, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - Must provide a copy of any patent, publication, other information listed, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]